

AMENDED

Serial No.

61067

ASSIGNED

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office MAR 22 1995

Returned to applicant for correction APR 20 1995

Corrected application filed MAY 26 1995 Map filed JUN 12 1995 under 61066

The applicant L & S Associates, A Nevada General Partnership

P.O. Box 348 of Virginia City
Street and No. or P.O. Box No. City or Town

Nevada 89440 hereby make application for permission to change the
State and Zip Code No.

Point of Diversion, Manner and Place of Use
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 29011, Certificate 9608
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is Underground
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.2125 c.f.s. (not to exceed 39.2 ac.ft.ann.)
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Quasi-Municipal and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Irrigation and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point SW 1/4 SW 1/4 Section 12, T.16N., R.21E., M.D.B.&M.,
Describe as being within a 40-acre subdivision of public survey and by course and

or at a point from which the SW Corner of said Section 12 bears S. 68°31'29"W.,
distance to a section corner. If on unsurveyed land, it should be stated.

a distance of 476.97 feet

6. The existing permitted point of diversion is located within SW 1/4 SE 1/4 NW 1/4 Section 33, T.17N., R.22E.,
If point of diversion is not changed, do not answer.

M.D.B.&M., at a point from which the NW Corner of said Section 33 bears N.

22°00'48" E., a distance of 2187.70 feet.

7. Proposed place of use Refer to Attachment "A"
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use 9.8 acres within the SW 1/4 SE 1/4 NW 1/4 Section 33, T.17N., R.22E.,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

M.D.B.&M. The entire 9.8 acres is being removed from irrigation.
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) A drilled cased well equipped with a pump.
State manner in which water is to be diverted, i.e. diversion structure.

motor & distribution system
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$50,000.00

13. Estimated time required to construct works two (2) years

14. Estimated time required to complete the application of water to beneficial use ten (10) years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Please refer to Attachment "B".

By s/Greg M. Bilyeu
Sierra Resource Engineering, Inc.
P.O. Box 21910
Carson City, Nevada 89721

Compared jk/sm jr/cmg

Protested _____

APPROVAL
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 29011, Certificate 9608 is issued subject to the terms and conditions imposed in said Permit 29011, Certificate 9608 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.2125 cubic feet per second, but not to exceed 39.2 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before March 20, 1998

Proof of completion of work shall be filed before April 20, 1998

Application of water to beneficial use shall be made on or before March 20, 2001

Proof of the application of water to beneficial use shall be filed on or before April 20, 2001

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed SEP 03 1999

Proof of beneficial use filed APR 19 2001

Cultural map filed _____

Certificate No. 15789 Issued JUN 01 2001

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 20th day of March

A.D. 1996
R. Michael Turnipseed P.E.
State Engineer

(PERMIT TERMS CONTINUED)

The total combined duty of water under Permits 61066 and 61067 shall not exceed 75.4 acre-feet annually.

The well drilled under Permit 29011, Certificate 9608 shall be plugged in accordance with the Nevada Administrative Code, Chapter 534.420, "Regulations for Water Well and Related Drilling" within 60 days from the issuance of this permit.



ATTACHMENT "A"

7. Proposed Place of Use

Portions of T.16N., R.22E., M.D.B. & M. as follows:

A portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 4;

A portion of the N $\frac{1}{2}$ NW $\frac{1}{4}$, Section 5;

NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, portions of the S $\frac{1}{2}$ NE $\frac{1}{4}$, portions of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, portions of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, portions of the S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 6;

A portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 9;

NW $\frac{1}{4}$, Section 16;

All of Sections 17 & 19;

S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 18;

Portions of T.16N., R.21E., M.D.B. & M. as follows:

All of Sections 1 & 11;

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2;

N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, portions of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, portions of the W $\frac{1}{2}$ SW $\frac{1}{4}$, portions of the NE $\frac{1}{4}$, Section 12;

A portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13;

W $\frac{1}{2}$ NE $\frac{1}{4}$, portions of the E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 14;

SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$, Section 23;

N $\frac{1}{2}$, Section 24;

Portions of the NW $\frac{1}{4}$, Section 26;

SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, portions of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, portions of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 27;

E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 28;

NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 33;

N $\frac{1}{2}$ NW $\frac{1}{4}$, Section 34;

Portions of T.17N., R.21E., M.D.B. & M. as follows:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36;

Portions of T.17N., R.22E., M.D.B. & M. as follows:

S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$, Section 31.

ATTACHMENT "B"

This change application and an application to change Permit 28974, Certificate 9607, are being filed in order to move the permittee's water rights onto property under his ownership and control. The manner of use is being changed from irrigation to quasi-municipal and domestic and will be offered for dedication in support of a proposed development in the vicinity of the proposed point of diversion. Water will ultimately be placed into the existing Dayton Utilities distribution system.

For the existing point of diversion and place of use please refer to the Cultural Map on file under Permit 29011.

The total combined duty of this application and the application to change Permit 28974, Certificate 9607 shall not exceed 75.40 acre-feet annually.

